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THE CULTURE AND CONFLICT REVIEW



Babysteps: Developing Multilateral Institutions in the Arctic

MAJ Henrik Jedig Jørgensen, Danish Armed Forces, 4/22/2011

Preface

As climate-change sceptics are increasingly won over from “the dark side” to accept the fact that steady climate change is a fact, the Arctic coastal states are struggling to find ways to adapt their national strategies to the changing geopolitical situation that is a result of the warming of the Arctic. At the same time, scholars from all over the world are struggling to understand the future possibilities and challenges of the Arctic in the light of this changing scenario - and their projections vary across a continuum stretching from a scenario of peaceful development with a multiple of beneficiaries on one end to one of a new “Cold War” or even military confrontation on the other.[1] At the centre of this forecasting we find two variables: First, all projections expect the quest for power (or in some cases this is reduced to the constituents of power, e.g. resources or territory) to be central to the future of the Arctic. Second, although some projections tend to hold cooperation as a constant – either assuming that conflict is inevitable or that cooperation is a natural condition – the degree of cooperation is a central variable that is common to most studies.

This paper assumes that the ongoing quest for power in the Arctic can be regulated, and that the Arctic coastal states have a common interest in establishing fora, rules and regulations to deal with actual and potential future challenges – and both within the security domain and in other – and softer domains. But the existing fora that could be used for dialogue and cooperation in the Arctic are all established on the premises of the Cold War and on the premise, that Arctic change is taking place at a slow and incremental pace. Consequently they are insufficiently institutionalized and lacking in power and therefore incapable of assuming an overarching responsibility for historical reasons.

This paper discusses the need, possibilities and challenges to empowering the weak existing fora with the aim of increasing the degree of practical and binding Arctic cooperation and reducing the level of militarisation and risk of conflict against the option of establishing new and more potent fora. The paper will discuss the future need for institution-building with the short term aim of being able to keep up with the pace of Arctic change and the long term aim of establishing Arctic institutions with the potential to carry out UN mandates under Article VIII of the UN Charter.

Why is the need for cooperation and institutions in the Arctic pressing?

The need for future development of cooperation in the Arctic is determined by the change in human activities in the region. Basically it can be said, that the present limited Arctic cooperation is a function of the scarce amount of human activity in the past. And there is no longer any doubt that the patterns of human behaviour in the Arctic is changing: In the 2007 Norshipping Report “Arctic Shipping 2030” – a report that examined scenarios for the future of Arctic shipping,[2] part of the conclusion reads: “ice class technology and surveillance technology will be important in all the scenarios.”

In more detail, the report goes on to conclude, that as a consequence of climate change and globalisation Arctic shipping will increase. But as a consequence of climate change, extreme weather conditions will continue to be – or may even become a more extreme - factor to consider for the duration of the analysis (i.e. at least until 2030). Therefore reliable meteorological predictions, including predictions of distribution and movement of the sea ice will become one important factor – while ice-

class technology will remain another important factor to international commercial freight.

The flip-side of this conclusion also needs to be considered: If ships will require ice-class technology to guarantee their safe passage through Arctic waters and surveillance-technology to predict the extension and thickness of sea ice, this means that by implication the report assumes, that Arctic shipping will be running calculated risks to cross Arctic waters. The conclusions in the 'Norshipping' report are consistent with most other reports and assessments. For example the Arctic Council in 2009 published the "Arctic Marine Shipping Assessment Report 2009": The report points to the conclusion, that: "It is highly plausible there will be greater marine access and longer seasons of navigation, except perhaps during winter, but not necessarily less difficult ice conditions for marine operations."^[3]

While there is no longer any doubt that human activities in the Arctic are increasing, there are a few determining factors to consider. Predominantly the speed of global climate change, the existence or non-existence of natural resources, the development of extraction and transportation technologies and the 'temperature' of the world market are three variables that will have an impact on the level of activity. Together with a colleague, Jon Rahbek-Clemmesen, I examined these parameters in a 2009 report from Danish Institute for Military Studies, under the title: "Keep it Cool." The discussion of the central factors concluded, that the combination of demand, technology and availability/accessibility could basically be boiled down to one single question: If it pays to do something in the Arctic – be it exploitation of natural resources, Arctic maritime transportation or cruise-ship tourism, it will be done.^[4]

In our 2009 report – for lack of substantive meteorological predictions – we assumed that the global climate change was a slowly progressing phenomenon that would influence both the possibility to search for resources and the accessibility of the resources that might be found. The assumption that climate change was a slowly progressing phenomenon had some impact on the conclusions of the report: If the time perspective for Arctic development is long, there is also considerable time to establish cooperation, rules and regulations. But since we published the report, however, most predictions seem to indicate that Arctic change is occurring much faster than we assumed – and this leaves less time for the establishment of new Arctic fora and the development of existing ones to take care of matters that are suddenly seen to surface.

The combination of increased traffic in the Arctic poses a risk in itself: Where no ships are sailing, no collisions or shipwrecks will occur, so the sheer increase in traffic should be considered a risk driver. But while long-term meteorological predictions forecast a reduced ice-coverage in the Arctic, they also envision an increase in extreme weather phenomenon with: "greater ice movement and wave action, which will increase the risks of sailing and operations in the Arctic."^[5] Altogether, "This new Arctic Ocean of increasing marine access, potentially longer seasons of navigation and increasing ship traffic requires greater attention and stewardship by the Arctic states and all marine users."^[6]

But what does stewardship mean in this context: Who has the legitimate right or legal obligation to steward the Arctic? And what elements of stewardship are required?

Why is cooperation lacking

On the practical level – like Search and Rescue or environmental protection a number of initiatives are already in place – be it national, bilateral or multinational – but a truly broad and all-encompassing Arctic cooperation is generally lacking. I will suggest that practical and binding cooperation in the Arctic is generally lacking for three reasons:

First, cooperation has been hampered by historical mistrust between Russia and the four Arctic NATO members. This historical factor has prevented the Arctic states from entering into a concrete security cooperation – and by extension it has had a negative effect on the development of a concrete Arctic cooperation outside of the high-politics domain. Second, the Arctic states have only recently begun to realize, that climate change and changing traffic patterns will be altering their national priorities – they are all on the outside of the so-called OODA loop and they are only just entering the "Decide" phase.^[7] Third, cooperation is hampered by weak institutional frameworks, competing interests and the risk of influence-dilution in the existing fora.

Historical mistrust: States generally prefer to cooperate with other states that resemble themselves – and where relations are both friendly and based on repeated successful examples of cooperation. This explains, for example, why Norway has been a keen supporter of establishing an Arctic dimension in NATO. But it also explains, why Russia is not going to be so happy with such a development. The role of NATO will be discussed in greater detail later in the paper, but for now I will conclude that Russia and

NATO historically have been antagonisms – and this will effectively prevent any practical cooperation in the high-politics domain.

But historical security concerns may also influence cooperation in the low-politics domain: Logic would have it, that where states with a complicated security relationship seek to build closer relations, they should begin by approaching each other in areas that are not perceived as vital by any of them. Such low-politics cooperation could have a mitigating effect on a sore relationship. Arctic Search and Rescue could be an example of such an issue: The Arctic states all have a responsibility to be able to coordinate Search- And Rescue at sea within their territories. And while the ongoing increase in Arctic traffic pushes the general need for Search and Rescue capacities, the unpredictability of the distribution of territories following a distant UNCLOS decision makes the distribution of future national responsibilities unclear. So the question is: Should each Arctic state develop individual capabilities to cover the areas where it makes claim – or should the Arctic states establish cooperation to pool their mutual capabilities to support the common task? The answer may seem to be a clear “yes!”, but there is also a risk, that diplomatic efforts at building cooperation within the low-politics domain can be perceived within the security-logic domain.

If this logic applies to Arctic cooperation, the development of concrete and binding agreements - for example regarding Search- And Rescue operations - may be hampered because states fear that such initiatives will be perceived by the others as a means of de-securitization. In this case, the Arctic states will simply be afraid to discuss concrete cooperation for fear of drawing attention to the risk of a confrontation.

Slow realization of the influence of climate change and changing traffic patterns: Another reason why cooperation is yet insufficiently institutionalized is because the Arctic states have only recently begun to realize the impact of climate change. The understanding that climate change is pushing the need for cooperation has been promoted – among other factors – by the fact that the Arctic states have been struggling to document their claims to UNCLOS for their territorial rights in the Polar basin. The value of International cooperation has been clearly demonstrated by the fact, that it has been a precondition for most states to be able to support their territorial claims: For example, the Danish ability to document any claims would be severely challenged if Russian or Swedish icebreakers could not be chartered.

Weak institutional frameworks, competing interests and the risk of influence-dilution in the existing fora: The third reason why practical cooperation has not yet materialized in the Arctic has to do with the composition and construction of the fora that could be used to develop such cooperation: First, Where Arctic Council is concerned, it has the disadvantage of including states that are not Arctic Coastal states. Should these states be allowed a deciding role in the establishment of Arctic capabilities? If so, how should burden-sharing be arranged? Second, Arctic council is struggling to sort out how to deal with a growing number of observer states. Third, Arctic Council to some extent lends its legitimacy from the special representation of indigenous peoples: But if the council is transformed into an organisation with a permanent representation, these groups will have good reason to fear marginalization. Fourth, Arctic Council is prevented from covering military issues by the Ottawa declaration: It may deal with high-politics on the diplomatic level, but many of the concrete tasks that need coordination will have a military dimension.

And finally: If the Arctic states shift their attention to Arctic 5, cooperation will carry the same problems concerning indigenous peoples as mentioned above, and at the same time the Nordic countries will have to kiss the “Nordic dimension” goodbye.

What should cooperation include?

International cooperation could be initiated for various reasons: On the practical level it should be designed to optimize the effect of national funding against effect: When operating individually, the Arctic coastal states – no matter how powerful they may be – are up against a tremendous challenge in case of a future worst-case scenario. If a Mexican Gulf-like scenario were to take place in Arctic waters, the combined efforts of the Arctic states would be better suited by a coordinated and pre-arranged multinational effort than any effort by an individual state. And any practical cooperation would have to consider a range of scenarios to be covered – which would force the Arctic states to discuss their own ambitions against those of the other - and thus facilitate dialogue. Of course this dialogue would also expose differing agendas – but the alternative to the Arctic states discussing agendas and scenarios theoretically and in advance is discussing them when they confront each other on practical terms.

But Arctic cooperation should also serve to reduce security tensions among the Arctic states. Of course there are already elements of dialogue and transparency – both relatives of security – in the already existing Arctic cooperation – but these relatives are much more distant than their cousins: Coordination and cooperation. A broad military coordination or cooperation would tie individuals on all sides of the Arctic rim closer together and form the basis of formalized channels of dialogue much stronger than those of today. It would offer Russia a better communications platform than risking her ageing bombers by taking them across the Arctic Basin – and it would offer politicians a set of closed channels to voice their frustration.

And finally Arctic cooperation should be able to handle future external threats and challenges like illegal fishing, piracy, illegal immigration, smuggling and other criminal activities as well as potential security threats from external state actors. Fear – or claims of fear – of such activities could be used by individual Arctic states as excuses to unilaterally bolster their defences in the Arctic – and therefore they are likely sources of future insecurity if not handled in time.

The Arctic states need all these effects – and they need to start the dialogue soon. If one state or another decides to act on its own against a perceived potential threat that could be manifest in a decade – it will probably have to start building capabilities today in order to be able to employ them tomorrow.

Cooperation where all the Arctic states are included is illustrated in the matrix in figure 1. As shown in the matrix, broad Arctic cooperation is isolated to the diplomatic dimension. Initiatives concerning cultural issues and environmental protection have traditionally been handled by Arctic Council, but binding agreements and concrete cooperation has been scarce. Even a budding cooperation within the SAR area is so far isolated to the diplomatic level.

	High Politics	Low Politics
Diplomacy	Arctic Council Arctic 5	Arctic Council (SAR-cooperation, Cultural issues, Environment, meteorology)
Operations		

Figure 1: Arctic relations are dominated by diplomatic cooperation in the high politics domain.

One way of illustrating the need for future Arctic cooperation is shown in figure 2: The arrows illustrate the need for cooperation to be pushed from the diplomatic level to the operational level – and to engage in concrete cooperation in the low-politics domain.

	High Politics	Low Politics
Diplomacy	Arctic Council Arctic 5	Arctic Council (SAR-cooperation, Cultural issues, Environment, meteorology)
Operations		

Figure 2: Arctic relations would benefit from a push towards concrete operational cooperation in the low-politics domain.

Ideas for concrete cooperation could include issues such as meteorological forecasting, including monitoring of ice-movements, fisheries inspections, Search- And Rescue activities, environmental protection or pollution fighting. On a much longer horizon the vision for cooperation should not exclude the potential for the Arctic Coastal states to engage in a military cooperation that would enable them to act commonly in the Arctic on behalf of the UN, for example under Article VIII of the UN charter.

A closer cooperation between the Arctic coastal states would also enable them to better influence global organisations and the establishment of common international standards. For example the Arctic Coastal states have a special interest in influencing the United Nations International Maritime Organisation when it is working to formalize its Polar-directive.

The building blocks for future cooperation: What are the main institutions in the Arctic?

Arctic cooperation is already taking place on many levels. On the most basic level individuals have always had to cooperate in order to survive the harsh climate. Where profit is involved, companies cooperate to be able to extract resources. Where cross-boundary interests are at stake, interest groups cooperate to promote their agendas and learn from each other. And state cooperation takes place for a multitude of reasons in order to balance the wish to fulfil national interests uncompromisingly against the cost of doing so alone.

But in the areas where cooperation between the Arctic coastal states has been all-inclusive (i.e. including Russia), it has taken place within the framework of Arctic Council, and cooperation has been isolated to cover only the soft politics domain. In the domain of hard security, a broad cooperation has been hampered by traditional security concerns and mistrust: The only hard security institution operating in the Arctic is NATO, and the prospect of including Russia into that organisation remains distant bordering on non-existent.

Arctic Council is the only internationally recognized Arctic institution, and the possible development of Arctic Council or alternatively Arctic 5 will be the focus of this paper. But as the only multinational security actor in the Arctic, NATO also has an important role to play (or at best: NATO has an important role not to play). No matter what dimensions Arctic Council are to develop, NATO will always be the famous invisible elephant in the room, and whether Arctic Council can be developed to assume a larger role will to a great extent be dependent on what role NATO plays or does not play in the Arctic.

NATO

The interest in the Arctic of both NATO and the Soviet Union during the Cold War was mostly motivated by the fear of nuclear attacks either from submarines operating in the Arctic sea or from missiles or bombers that could bring their deadly cargo across the area. Early warning stations in the Arctic were supposed to alert NATO militaries in case Soviet missiles were launched – and Soviet bases in Northern Siberia and on the Kola Peninsula were tasked with air defense against NATO attacks. Bomber and missile units were allocated offensive tasks on both sides of the Arctic. Another reason to keep an eye on the Arctic had to do with the relatively landlocked position of the Soviet Union and its consequent need to use the Arctic Sea for maritime purposes: With access to only a few warm-water ports, most of them easily containable by NATO, the Soviet Union had to rely on its formidable Northern Fleet, situated in Murmansk, to disrupt the transfer of troops and equipment from the US across the Atlantic to a European war theatre in case of a war. For both NATO and the Soviet Union maritime operations in the Atlantic were vital – and control of the passage from the Arctic to the Atlantic, thus were of the utmost importance.

After the cold war and the dissolution of the Soviet Union, the security agenda of both the NATO states and Russia has dramatically changed. The Arctic, however, has not entirely lost its perceived importance to military security: Russia still has a (decaying) Northern Fleet in Murmansk with ice-capable nuclear powered submarines and it maintains its bomber regiments and nuclear missiles and it is very much aware that it is still facing NATO - and in the Arctic this poses a special challenge, since the other four Arctic Coastal states are all NATO members. As I put it in an earlier study: “with four of the Arctic states belonging to the same alliance – and with Russia being the only non-NATO Arctic state, there is a particular risk that actions undertaken by individual states will be perceived as part of a coordinated alliance gesture directed against Russian interest. This will be especially problematic if the stakes regarding the distribution of potential gains in the Arctic are seen to be altered. In this situation it is likely, that Russia will perceive any change of military posture as an alliance move aimed at intimidating or even compelling Russia from asserting its perceived rights.”[8]

In other words: While each of the four Arctic coastal states that are also NATO members may perceive their individual military actions as part of national strategies, there is a risk that Russia will interpret these same actions as part of a coherent NATO strategy rather than as part of a set of respective national strategies. But there is also a risk that Canada, Denmark, Norway and the US will tend to see Russian military actions through the Cold War lens: In a matter of years rather than decades, the decaying Russian Northern Fleet will need renovation – and units within that fleet will need to be replaced.

At the same time it should be remembered, that the decay of the Russian Northern Fleet is taking place alongside the development of Russian economic interests in the Arctic and as the natural protection of

Russian territories is literally melting away: The significance of Russian dependence on oil and gas extracted from the Arctic as well as the insecurity connected with the disappearance of the traditional protection offered by an inhospitable ice-desert both speak in favour of maintaining a strong defensive military force in the Arctic region.[9]

Adding to this insecurity and need for protection of vital interests, Russia also has to consider the emerging power of China. I will not deal with this issue in detail here, but simply conclude that Russian military posture in the Arctic will also have to be considered against the need to protect its interests elsewhere and from other players than the Arctic Coastal states.

In light of the above-mentioned considerations, the Arctic Coastal NATO member states will have to consider the impact of their individual military actions. If either of them are uncomfortable with Russian military actions or with the development of Russian military capabilities, this could trigger a bilateral confrontation or even initiate an arms race between Russia and the Arctic Coastal states. But before that, NATO members could be tempted to invite NATO north to bolster their national position, demonstrate alliance solidarity or even compel Russia. On the "ladder of escalation", a NATO response to a bilateral confrontation could prove hazardous to the development of peaceful Arctic relations.

NATO and Russia have come a long way towards a mutual understanding since the end of the Cold War. Indeed, there are even examples of cooperation – like when NATO was allowed to use Soviet Airspace in the war in Afghanistan. And the NATO-Russia Council has been a forum for consultation since 2002, but this is also a fragile forum – as it was demonstrated after cooperation was suspended from August 2008 to March 2009 following the 2008 war between Russia and Georgia and the Russian occupation of South Ossetia.

The Arctic Council

The broadest and most encompassing Arctic institution is the Arctic Council. Founded on the basis of the Arctic Environmental Protection Strategy, the Arctic Council was established in 1996 absorbing the environmental dimension and broadening its mandate to cover all other issues in the Arctic except military ones.[10] Based on a core of Arctic and Subarctic states (Canada, Denmark, Finland, Iceland, Norway, Russia, Sweden and The US) the Arctic Council gains an increased legitimacy from including the indigenous Arctic population, represented by transnational Inuit organisations. Furthermore the Arctic Council is open to observers – the only requirement for observer status being the demand to comply with the founding principles of the Council.

Much hard work has been put into adapting the Arctic Council to the changing situation in the Arctic. In some cases the Arctic Council has established working groups to supplement the original four working groups from AEPS.[11] This goes for the 'Sustainable Development Working Group' (SDWG). In other cases the Arctic Council has proven instrumental in establishing and promoting new knowledge – for example when the US funded Arctic Climate Impact Assessment (ACIA) was conducted under the auspices of Arctic Council.

But while the Arctic Council has proven successful in serving as a forum for dialogue on soft-policy issues and a body for coordinating research and knowledge-sharing – and even raising Arctic climate change to the international agenda, its statute sets some limitations to the wider use of the Council: First of all the absence of military issues from the agenda means that issues that could be meaningfully covered in the only truly pan-Arctic forum will have to be coordinated elsewhere – for example in the NATO-Russia Dialogue. The NATO-Russia Dialogue construction has the disadvantage of historical bias - and it has been disbanded on several occasions over issues that had nothing to do with the Arctic.[12]

Another obstacle to developing Arctic Council towards something more functional is the meeting rhythm of the council. In an environment of accelerated change biennial meetings are simply not enough: The council needs a permanent representation to be able to coordinate ongoing activities and monitor the rapid changes that can be observed in the Arctic. Steps are already taken to increase the pace of cooperation: At the 2009 Tromsø meeting, the council: "Decide[s] to further strengthen the political role of the Arctic Council by having a meeting at deputy Minister level, with representatives of Permanent Participants, to discuss emerging issues between Ministerial meetings." [13]

But although annual meetings could increase the pace of institutional development, there would still be a strong need for a permanent body to address the challenges that are rapidly emerging as the level of activity is increasing.

The first stepping stone towards an Arctic Council permanent representation was made in 2007, when Norway agreed to host a secretariat at Tromsø through the period 2006-2012.^[14] Although the activities of such a secretariat does not hold any decision making authority and is probably largely unable to coordinate ongoing activities, it could provide a platform for a more robust future representation with actual agencies and a larger organisation. The secretariat may technically seem to be a temporary institution – but the fact that the 2009 Tromsø Declaration concludes that the Arctic Council: “appreciate[s] the Secretariat’s contribution to the increased efficiency of the work of Arctic Council,” ^[15] can only point to a more permanent future structure for Arctic Council. (Although new funding mechanisms may be required). And although its activities will probably be restricted to the coordination of meetings and agendas, it may provide the opportunity to lift ongoing coordination out of national frameworks and into a multinational agenda.

But changing the position of the Arctic Council will be difficult, if the participants maintain that the Council shall remain little more than a biennial forum for exchange of ideas and coordination of environmental and cultural issues. In order to bring Arctic Council to prominence it will need to be empowered to be able to act on short notice against arising challenges, and it should have a concrete set of tasks to coordinate or even direct.

The establishment of a permanent secretariat is a step on the way, but that secretariat must be developed to be able to lasso ideas and tie them to reality. This will require a competent permanent staff, new procedures and competencies within the secretariat (possibly a Secretary General), and a number of functional agencies to provide limbs for the Arctic Council body. The following section will discuss the possibilities for empowering Arctic Council through institutional approaches. In doing so, it will lend inspiration from the Subarctic Areas where such cooperation has been ongoing for years.

Empowering the Arctic Council

If Arctic Council is to be developed into a more potent institution, it will need a permanent representation. The pace of Arctic change is going faster than the meeting rhythm of Arctic Council, and consequently the council will be unable to react in time to emerging challenges as Arctic traffic is quickly increasing. A permanent representation should include a secretariat – but also a command structure led by a secretary general or a similar construction. It would also need a permanent staff and a headquarters.

Once established the council (which would start to look more like an organization) could start to assume responsibility for coordinating the tasks that emerge as Arctic traffic increases. The decision as to what staff functions that should be included in the organization could be determined by “supply and demand” mechanisms: All coastal states are struggling with the same considerations – and it should be no hard task to identify a couple of “starters” like ice-forecasting or Search and Rescue activities.

But Arctic council will need to change its statute in order to gain the necessary potency. This is a major challenge since development of binding structures will push state administrations closer to the centre of decisions at the expense of indigenous peoples. This is primarily because funding and state responsibilities will become a core mechanism in all discussions of an empowered Arctic Council.

As long as Arctic Council does not engage in high-politics or at least focuses its efforts on soft issues like culture and environment, the organisations representing indigenous peoples are likely to maintain their special position somewhere between member states and mere observers. But if the scope and focus of Arctic Council is changed to address high politics and security, this special position could be at stake, possibly causing the indigenous peoples to lose influence.

To illustrate the challenges of empowering Arctic council, I will mention a couple of other obstacles:

1. First, the Arctic states may be reluctant to engage in issues that are in the periphery of Arctic security issues, like for example Search And Rescue Operations (SAR), because they fear, that any attempts at this will draw the attention to military issues. This could happen because Danish and Norwegian Coast Guard duties are in fact either carried out by or organized under the navy. Therefore any discussion of Arctic SAR cooperation would imply discussing the operations, activities and organisation of the Danish or Norwegian navy.
2. Second, the Arctic states may be reluctant to discuss expanding the mandate and statute of Arctic Council or establishing innocent bilateral fora for cooperation, simply because this could be interpreted as manoeuvres to create alternative channels to handle security issues in case of a crisis and thus draw unwanted attention to the potential conflicts of the Arctic. In other words: Fear of drawing attention to

the security dimension of the Arctic may prevent the establishment of highly relevant fora for cooperation that could in fact serve the purpose of alternative channels for dialogue in case the traditional channels close because of a crisis.

But at some point the members of Arctic Council will have to consider where to coordinate Arctic military issues. And at that point states will be the dominant actors with NGOs playing only marginal roles.

Arctic 5

Arctic 5 is a fairly new invention. The forum includes the Arctic coastal states in what could be termed an "Arctic Land Owners Association."^[16] The first formal Arctic 5 initiative was the Ilulissat meeting in May 2008 that produced the Ilulissat Declaration. Arctic 5 gains its legitimacy from the public safety dimension, which can be roughly explained by the fact that any occurrence that will need handling in the Polar Basin will have to be handled by one or more of the Arctic Coastal states, but may have influence on all of them.^[17]

The Ilulissat declaration was a unique achievement in three ways: First, it demonstrated that by reducing Arctic Council to the forum with concrete security concerns, it was able to deal with matters of security in a binding way. Second, to achieve a binding agreement, it established that the Arctic coastal states had special common interests and responsibilities and thus succeeded in carving Iceland, Sweden and Finland out of the Arctic equation. Indeed it even demonstrated to states with no Arctic presence whatsoever – like China, that the Arctic coastal states considered themselves the core actors of the Polar Basin^[18]. Third, it succeeded in committing the US to decisions reached under the aegis of UNCLOS, although the US is still not a signatory to that convention.

Although the outcome of the Ilulissat meeting – the declaration - was widely appraised in the five Arctic coastal states, the forum has been criticised for virtually excluding indigenous people from influence and thus reinforcing the primacy of states over peoples.^[19] At the same time the Ilulissat declaration has been observed with scepticism and even anger in the Nordic countries that do not have Arctic coast lines, and there seems to be a fault line in Denmark between politicians who endorse Arctic Council over Arctic 5 and vice-versa.

In this respect Denmark may have to choose between promoting Arctic 5 which excludes Finland, Sweden and Iceland from the cooperation and a Nordic dimension in the Arctic cooperation that rests on the Stoltenberg report and especially the common ambition to use the consecutive Nordic (Norwegian, Danish and Swedish) chairmanship of Arctic Council to promote the recommendations from the Stoltenberg report.^[20] The two fora may not necessarily be mutually excluding, but in this early phase of development, Danish domestic political considerations may dictate a choice between the two.

The US does not seem too enthusiastic about Arctic 5 either. After the march 2010 meeting, the US secretary of State, Hilary Rodham Clinton, stated that "Significant international discussions on Arctic issues should include those who have legitimate interests in the region... I hope the Arctic will always showcase our ability to work together, not create new divisions."^[21] This led professor Rob Huebert of the University of Calgary Centre for Strategic and Defence Studies to conclude, that; "I think that's effectively dead...I can't see any other country running forward to make it work." Professor Michael Byers from University of British Columbia commented: "This has thrown that particular dimension of (the Canadian government's) policy into an impossible position...from now on, they have to include the other Arctic Council members and they also have to make sure there is indigenous representation."^[22]

Although these statements could still prove to be prophetic, it is too early to remove Arctic 5 from the equation: It may well prove to have a potential to deal with future challenges that will appear as ice melts and the quest for resources become manifest. If Arctic Council proves unable to transform itself and adapt to the changing circumstances in the Arctic – like establishing a permanent formal organization to serve as an anchor-point for concrete initiatives – let alone handle concrete security issues like military cooperation, the principal actors (the coastal states) will be a need to take matters elsewhere: Although Arctic Council has a special legitimacy because of the representation of indigenous peoples, it will be naïve to rely on a forum with no permanent representation and with a biannual (or even annual if we include the latest initiatives) meeting rhythm to coordinate the events in an environment that changes faster than the meeting rhythm.

Empowering Arctic 5

Although enthusiasm for Arctic 5 may be limited to some of the Arctic states, it is still worth considering,

what role this forum would be able to play in case Arctic Council fails to develop the institutional capacity needed to suit an Arctic environment with a lot more activity than what can be observed today. In that case there will be an Arctic institutional vacuum that will leave it up to the individual states whether to act alone or seek coordination and cooperation. This could emphasize bilateral arrangements – or introduce other institutions whether old ones or new ones.

In that case Arctic 5 could prove to be a better alternative than bilateral arrangements or the obvious fall-back option for those Arctic coastal states that are NATO members. For the moment, this scenario might seem distant – but as Arctic maritime traffic increases, the decision date for establishing capacities is also pushed closer. This means that the Arctic states will have to develop capacities before they can fully predict the costs and benefits of capacity building. They may seek to share the burden with other actors – and the prize will be a dilution of influence as contributors will make demands before committing resources.

So Arctic 5 may have some disadvantages when it comes to legitimacy – and it may arouse some controversy among the Arctic Council members who will lose influence if binding decisions and formal cooperation is transferred to Arctic 5. But on the other hand non-state actors and non-coastal Arctic states are unlikely to commit resources on any significant scale in exchange for influence on capacity-building and institutional development of Arctic Council. In any case, the location of the headquarters of any future multinational Arctic organisation is likely to be in one of the Arctic rim states, and any capacity constructed for an Arctic future will be based in the rim states as well. Disregarding these facts is naïve and will lead to postponement of important cooperation initiatives.

The concrete cooperation initiatives that could empower Arctic 5 are similar to those mentioned in the discussion of Arctic Council. But as a basis for the cooperation, an “Arctic 5 declaration” should be designed. Once in place, the declaration should institutionalize the cooperation and establish the basis for a an organisation with a permanent headquarter staffed with a secretary general and a secretariat, and with appropriate staff functions to initiate cooperation in the domains that could commonly be identified as relevant.

Conclusion

In this article, I have described the consequences of the changing conditions to navigation in the Arctic. I have made the point, that practical cooperation by the Arctic Coastal states within a number of areas like Search and Rescue, surveillance, environmental protection and pollution containment is required, and that the changing security dynamics that comes out of Arctic change also needs a forum of attention. In a matter of decades, the Arctic could be a region of such importance, that the world economy and well-being of millions could be at stake in case of a regional crisis – be it in the security domain or elsewhere. This speaks in favour of establishing a regional framework of cooperation that could be empowered by a UN resolution coordinating on behalf of the United Nations whatever effort might be required – or even acting under Chapter VIII of the UN charter.

If this vision is to come true, the right forum will have to be established – either based on existing structures or entirely new one: The only institution to include all the central Arctic actors is the Arctic Council, but Arctic Council is currently not in gear to support such a vision of cooperation in an environment of rapid change. If Arctic Council is to be able to coordinate any ongoing effort, it will have to establish itself as a permanent structure, headed by a secretary general, situated in a headquarters, surrounded by a staff and fitted with a secretariat. But this will require fundamental changes to the statutes of Arctic Council. And even more drastic changes will be needed, if the Council is to be able to coordinate any efforts in the security domain. But the only other multinational security actor in the Arctic, NATO, is no realistic alternative, because of the historical bias that surrounds it.

Small steps have been taken to increase the responsiveness and efficiency of Arctic Council, but there is still a long way to go: Expanding the secretariat is an important step, but establishing a permanent staff with a dedicated leadership would make better sense, if the Council had its own operations or development programs to coordinate. The ongoing work of the Arctic Council taskforce on Search And Rescue could provide the opportunity for creating a permanent body to be attached to the secretariat.

But if Arctic Council proves unable to deliver the premises for a broad and functioning international operational cooperation in the Arctic, other options must be considered. A cooperation-vacuum will be too dangerous and too expensive – and therefore the Arctic 5 should be carefully considered as a less legitimate but probably more effective alternative.

Letting go of the idea of Arctic 5 means easing the pressure on the development of Arctic council – or paraphrased: The idea that Arctic 5 could take the role of Arctic operational cooperation will put pressure on those actors within Arctic council that resist much-needed development of the council.

Finally: maybe the question of empowering Arctic council versus Arctic 5 is not one of “either-or” but could be one of “both-and” with Arctic Council serving as a forum for dialogue while Arctic 5 serves the purposes of formal agreements and cooperation on the operational level.

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2. ECON Report 2007-70, Comissioned by Norshipping, p. 24.
3. AMSA 2009, Key finding 7, p. 35. (Arctic Marine Shipping Assessment 2009, Arctic Council, approved by the council by April 2009).
4. This is largely consistent with the findings in Arctic Marine Shipment Assessment 2009, p. 124.
5. Arctic Marine Shipping Assessment, pp. 9.
6. Arctic Marine Shipping Assessment, P. 25.
7. In its simplest form, the OODA loop consists of four phases of an actor's decision cycle: Observe – Orient – Decide – Act. Each phase contains a number of sub-processes and the loop represents a recurring cycle where the actor's own action spurs the need for new observation, orientation, decision and action.
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